

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

POUYA ESGHAI,

Plaintiff,

-v-

U.S. DEPARTMENT OF STATE, *et al.*,

Defendants.

24 Civ. 2993 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On July 12, 2024, defendants filed a motion to dismiss the complaint under Rule 12 of the Federal Rules of Civil Procedure. Dkt. 15. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that plaintiff shall file any amended complaint by August 2, 2024. No further opportunities to amend will ordinarily be granted. If plaintiff does amend, by August 23, 2024, defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that defendants rely on the previously filed motion to dismiss.<sup>1</sup>

It is further ORDERED that if no amended complaint is filed, plaintiff shall serve any opposition to the motion to dismiss by August 2, 2024. A reply from defendants shall be served by August 16, 2024. At the time any reply is served, the moving party shall supply the Court with a courtesy copy of all motion papers by attaching them as PDF files to a single email addressed to [EngelmayerNYSDChambers@nysd.uscourts.gov](mailto:EngelmayerNYSDChambers@nysd.uscourts.gov).

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<sup>1</sup> If defendants file a new motion to dismiss or rely on their previous motion, an opposition from plaintiff will be due 14 days thereafter, and a reply from defendants will be due seven days after that.

SO ORDERED.



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PAUL A. ENGELMAYER  
United States District Judge

Dated: July 12, 2024  
New York, New York